

**MIDTOWN ALEXANDRIA STATION CONDOMINIUM
UNIT OWNERS ASSOCIATION**

Administrative Resolution No. 17-01

(Regarding Requests Related to Assignment of
Limited Common Element Storage and Parking Spaces)

WHEREAS, Midtown Alexandria LLC ("Declarant") executed certain condominium instruments establishing Midtown Alexandria Station Condominium ("Condominium") in Fairfax County, Virginia and caused such documents to be recorded in the land records of Fairfax County, Virginia ("Land Records") at Deed Book 19168 at Page 254 et seq., as may be amended from time to time; and

WHEREAS, portions of the Condominium's common elements are labeled on the Plans (Exhibit D to the Declaration) as common elements which may be assigned as limited common elements, including without limitation various storage spaces and parking spaces; and

WHEREAS, pursuant to Section 55-79.57(C) of the Virginia Condominium Act, the Midtown Alexandria Station Condominium Unit Owners Association ("Association") retains the right to assign a common element as a limited common element for those areas that are designated as common elements that may be subsequently assigned as limited common elements on the recorded plats and plans; and

WHEREAS, the Board of Directors deems it in the best interest of the Association to establish clear policies and procedures regarding how a unit owner may request an assignment or re-assignment of a common element or limited common element parking or storage space to his or her unit or to another unit; and

WHEREAS, Article 3, Section 3.1 of the Bylaws of the Midtown Alexandria Station Condominium Unit Owners Association assigns to the Board of Directors ("Board") all of the powers and duties necessary for the administration of the affairs of the Condominium and provides that the Board may do all such acts and things as are not prohibited by the Condominium Act, or by the Condominium instruments required to be exercised and done by the unit owners;

WHEREAS, Article 3, Section 3.1(6) of the Bylaws provides that the Board shall have the power to make and amend rules and regulations;

NOW, THEREFORE, BE IT RESOLVED THAT the following policies and procedures be adopted by the Board of Directors:

- I. This Resolution applies to requests for assignments and re-assignments of common element or limited common element parking and storage spaces that are unrelated to and independent of the sale of the unit.

- II. Unit Owners may request the re-assignment of a limited common element parking or storage space, designated on the Condominium's plats and plans as subject to assignment as limited common elements, by sending their requests in writing to the Association's on-site management agent, or such other party as the Board may designate from time to time. Such request be submitted on the attached form, Exhibit A and must include the following:
- a. The names, addresses (mailing and Condominium addresses), telephone numbers, and email addresses, of all involved unit owners. All record unit owners, listed on the current deeds for all involved units, must be listed on the request.
 - b. Identification of the transferee and the transferor of the applicable parking or storage space.
 - c. The storage or parking space number(s).
 - d. A copy of the sales agreement, executed by all involved parties, related to any requested re-assignment.
 - e. A copy of the deeds for all involved units. Assignments and re-assignments of parking and storage spaces may only be conveyed to current unit owners.
 - f. If the unit is secured by a mortgage or deed of trust, a copy of the letter from the lender approving the assignment or re-assignment.
- III. Upon receipt of a request, the Association's management agent shall review the request for completeness. If a request is not complete, the Association's management agent shall notify the requesting parties of any required additional information and the Association is not required to act further upon such request. The Association shall also notify the requesting parties of any other appropriate grounds for rejection of the request.
- IV. Upon receipt of a completed and actionable request, the Association's management agent shall notify the requesting party of the estimated cost to complete the assignment or re-assignment, which must be paid by the involved unit owners (to be decided amongst the unit owners how such cost is paid to the Association between and by them) in advance of the recording of the Amendment to the Association's Declaration, which is required to be executed and recorded to effectuate the re-assignment or assignment.
- V. All involved unit owners are obligated to remit the cost related to the Association's execution of the re-assignment or assignment, including without limitation the legal fees, administrative, mailing, copy and court costs related to such plus any applicable transfer and recordation taxes. While the

Association shall provide the involved unit owners with a cost estimate, the unit owners are responsible for the actual cost incurred, whether such amount is more than the original estimate or not. If the unit owners remit more than the cost estimate, the overpaid balance shall be returned to the remitting party within thirty (30) days of recordation of the Amendment. If the unit owners' paid costs are less than the actual costs incurred by the Association, the management agent shall notify the unit owners of the required additional charges and the unit owners shall remit the required payment within no more than fifteen (15) days from the date of notification. In the event that such charges are not paid within the required deadline, the charges shall be added to the unit owners' assessment accounts and shall constitute a lien against their units. Such charges may be collected in accordance with the Association's rules and restrictions related to routine assessment collection.

- VI. Upon receipt of the funds related to the cost estimate provided by the management agent, the Association shall prepare the required Amendment to the Declaration, necessary to effectuate the assignment or re-assignment. The Association shall provide the Amendment to the unit owners for execution. All involved unit owners who are listed on the deeds to the involved units must execute the Amendment and return it to the Association for recording amongst the land records of the Fairfax County, Virginia.
- VII. Upon receipt of the executed/original Amendment, the Association shall execute the Amendment as well, and proceed to record the Amendment amongst the land records of Fairfax County, Virginia.
- VIII. No assignment or re-assignment is final, until recordation amongst Fairfax County land records.
- IX. The Association shall not be responsible for any claims, losses, liabilities or damages, arising out of its performance or failure to perform its duties, as set forth in this Resolution.

Enacted this 22nd day of May, 2017.

MIDTOWN ALEXANDRIA STATION
CONDOMINIUM UNIT OWNERS
ASSOCIATION

By 
President

MIDTOWN ALEXANDRIA STATION CONDOMINIUM

June 1, 2017

Resolution 17-1 - Approved with additional language to the below resolution June 2, 2017.

Quorum

The following members of the Board of Directors voted unanimously online on this day; Stacey White (President), Phillip Suslick (Vice President), John Beyrent (Treasurer), Milia George (Secretary) and Jason Holland (Director).

Additional language: All units are required to have at least one deeded space.

Exhibit A
MIDTOWN ALEXANDRIA STATION CONDOMINIUM
UNIT OWNERS ASSOCIATION
PARKING SPACE AND STORAGE SPACE ASSIGNMENT AGREEMENT

You may use this form to request the Association to commence and complete an assignment or re-assignment of a storage or parking space occurring independent of the sale of the unit. Please ensure that you include a copy of each deed related to all involved units and the sales agreement related to your request. In order to properly submit a request, please complete, sign and date this form and mail or fax it to the Association's common interest community manager at the address below:

2451 Midtown Avenue
Management Office
Alexandria, VA 22303
703-329-4082 (fax)

Subject Storage Space Number(s): _____
Subject Parking Space Number(s): _____

PERSONAL INFORMATION:

Transferring Unit

Name of Transferring Unit Owner(s) (be sure to include the owners of record on your deed):

Mailing Address:

Address of Transferring Unit located within the Association if different than mailing address:

Phone: (Home) _____ **(Work)** _____
(Mobile) _____ **(Email)** _____

Recipient of Assignment:

Name of Recipient Unit Owner (be sure to include the owners of record on your deed):

Mailing Address:

Address of Unit located within the Association if different than mailing address:

Phone: (Home) _____ **(Work)** _____
(Mobile) _____ **(Email)** _____

I hereby agree and acknowledge by signing this Agreement that I am asking the Association to effectuate the assignment or re-assignment of the above-referenced storage/parking space from and to the above-referenced units. I further acknowledge and agree that I shall hold the Association free and harmless for any and all claims, liabilities, damages or losses, that may arise out of or relate to the assignment or re-assignment referenced in this Agreement.

Note: All Unit Owners of record for all involved Units must sign this Agreement.

Signature: _____ Date: _____
Print Name: _____

Signature: _____ Date: _____
Print Name: _____

Signature: _____ Date: _____
Print Name: _____

Signature: _____ Date: _____
Print Name: _____

Signature: _____ Date: _____
Print Name: _____

Signature: _____ Date: _____
Print Name: _____

FOR ASSOCIATION EXECUTION

Received by: _____
Date: _____

FOR ASSOCIATION RECORDS

I hereby certify that a copy of the foregoing Resolution was mailed and/or hand-delivered to all owners of the Midtown Alexandria Station Condominium Unit Owners Association, A Condominium at their addresses of record on this 19th day of June, 2017.

Marc Luper, GM
Managing Agent

RESOLUTION ACTION RECORD

MIDTOWN ALEXANDRIA STATION UNIT OWNERS ASSOCIATION

ADMINISTRATIVE RESOLUTION NO. 17-01

RESOLUTION ACTION RECORD

Duly adopted at a meeting of the Board of Directors held May 22, 2017.

Motion by: _____ Seconded by: _____

VOTE:

	YES	NO	ABSTAIN	ABSENT
<u>[Signature]</u> President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Vice President	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Mila George</u> Secretary	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>John Beyers</u> Treasurer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>[Signature]</u> Director	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ATTEST:

Secretary

Date

Resolution effective July 20,, 2017.